

REMARKS

Claims 1-22 remain pending in this application. Applicant respectfully requests reconsideration of the present application for the reasons that follow.

Summary of Rejections:

Claims 1-17 and 19-22 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent Publication No. 2006/0031768 to Shah *et al.* (hereinafter “Shah”).

Claim 18 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Shah in view of what was allegedly well known in the art.

Discussion:

Applicant respectfully disagrees with the Examiner’s interpretations of Shah as it relates to the pending claims and, therefore, traverses the rejections of the pending claims for at least the reasons that follow.

In rejecting claim 1 of the present application, the Examiner has relied on Shah, paragraphs [0227], [0248] and [0463], to assert that this reference allegedly describes “synchronizing a particular virtual device with one or more other virtual devices, wherein the synchronizing comprises automatically updating the one or more other virtual devices with data associated with the particular virtual device,” which is recited in pending claim 1. See Office Action, dated March 16, 2010, page 3, lines 7-14. Applicant respectfully disagrees, as there are no teachings or even suggestion in paragraphs [0227], [0248] and [0463] of Shah to anticipate the above-noted features of pending claim 1.

As to paragraph [0227] of Shah, this paragraph is describing the operation that is conducted in step 246 of Figure 9. The process that is described in Figure 9 illustrates two additional steps that are carried out prior to step 246 (which allegedly describes the above noted features of pending claim 1). In particular, in steps 242 and 244, Shah describes that a user associates a program icon with a device icon and the user specifies whether a remote invocation of this program is desired. According to Shah, only after the manual operations of steps 242 and 244 have been carried out, the program is converted to the appropriate type for the device in step 246. Such a series of operations cannot be reasonably construed as

“automatically updating the one or more other virtual devices with data associated with the particular virtual device” since such a program conversion that is described in step 246 will never happen unless the user has associated the program icon with the device and has specified whether a remote invocation is needed. Therefore, paragraph [0227] of Shah fails to teach or suggest at least the feature of pending claim 1 that recites “the synchronizing comprises automatically updating the one or more other virtual devices.”

As to paragraph [0248] of Shah, this paragraph describes:

“[0248] the user may simply drag and drop the program icon on to the device icon in step 242 and enter other information in step 244. Steps 246, 248, 250, 252, 254 and 256 of FIG. 8 (and the steps of FIG. 9) may be performed invisibly to the user. Thus, the user may never know that the program corresponding to the program icon that the user dragged and dropped on to the device icon was initially incompatible with the device, the conversion of the program to the appropriate format in step 246 having been performed invisibly to the user.” (Emphasis added).

The description in paragraph [0248] of Shah similarly requires the user to drag and drop the program icon (step 242) and enter other information (step 244) before any other operations can occur. More specifically, such manual operations are pre-requisites of other operations (e.g., program conversion, loading the program, etc.) that are subsequently carried out in steps 246, 248 and others. See also, Shah, Figures 9 and 11. Therefore, the description in paragraph [0248] of Shah cannot be reasonably construed as teaching or even suggesting “automatically updating the one or more other virtual devices with data associated with the particular virtual device,” which is recited in claim 1.

As to paragraph [0463] of Shah, this paragraph relates to providing an alternate display (i.e., in the form of a tree diagram as opposed to a regular configuration diagram) on a client device. Shah, in paragraphs [0451] to [0462], with reference to Figure 37, describes the steps that are involved in displaying a configuration diagram. In paragraph [0463], Shah describes that instead of, or in addition to, the standard configuration diagram “a second or alternate view of the client system may be generated and displayed.” According to Shah’s description in paragraph [0463], the second or alternate diagram is a tree diagram that

displays a hierarchical view of the devices and programs. Shah further describes that any changes made to one diagram (e.g., a change in the standard configuration diagram) will automatically be reflected in the second diagram (e.g., the tree diagram). Therefore, the description in paragraph [0463] of Shah relates to updating one depiction of configuration information, which already resides on the client device, with any changes that occur in a different depiction of the same configuration information, which also resides on that client device. In contrast, pending claim 1 recites synchronizing a particular virtual device with one or more other virtual devices, where such synchronization comprises automatically updating the one or more other virtual devices with data associated with the particular virtual device. Since paragraph [0463] of Shah merely describes updating two different versions of a visual diagram on the same client device, this paragraph cannot be reasonably construed as teaching or even suggesting the above-noted features of pending claim 1.

Since Shah fails to teach or suggest at least the above-noted features of pending claim 1, a *prima facie* case of anticipation has not been established. Accordingly, claim 1 is patentable.

Claims 6, 9 and 20 each recite a similar feature as the one discussed in connection with claim 1. Accordingly, claims 6, 9 and 20 are patentable for similar reasons as claim 1.

As to claims 2-5, 7-8, 10-17, 19 and 21-22, these claims depend, either directly or indirectly, from one of allowable claims 1, 6, 9, or 20 and are, therefore, patentable for at least that reason, as well as for other patentable features when these claims are considered as a whole.

The Examiner has further rejected claim 18 under 35 U.S.C. § 103(a) for being allegedly unpatentable over Shah in view of what was well known in the art. Applicant respectfully disagrees with the Examiner, as claim 18 depends directly from allowable claim 9 and is, therefore, patentable for at least that reason, as well as for additional patentable features when this claim is considered as a whole.

Conclusion:

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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